



40047A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
CHARLES D. KOWNACKI ET AL. :
Serial No.: 10/026,674 :
Filed: December 27, 2001 :
For: PNEUMATIC ENGINE :

DECLARATION OF JEFFREY J. HOWELL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Jeffrey J. Howell of Roylance, Abrams, Berdo & Goodman, L.L.P., 1300 19th Street,
N.W., Washington, D.C. states:

1. He has been retained to prepare and file the above-identified application.
2. He forwarded a copy of the application and Reissue Application and Declaration form via facsimile (Exhibit A) to Mr. Harary's last known facsimile number and business address set forth in the letter. Although the transmission report (Exhibit B) states that each page was received by the receiving facsimile, no response has been received.
3. He contacted Mr. Harary's office by telephone, and was informed that application and Reissue Application and Declaration form were received at the address noted on the latter and that Mr. Harary is out of the country at this time.

4. He requested that, if possible, Mr. Harary be contacted and the Reissue Application and Declaration form be faxed to Mr. Harary's location and executed and returned.

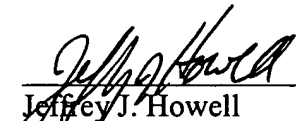
5. He believes that Mr. Harary's exact location is unknown at this time, and that there has been no response from Mr. Harary.

6. He believes that Mr. Harary is unavailable to sign the application, based on the above circumstances.

7. The Reissue Application and Declaration form will be updated with Mr. Harary's signature once he becomes available.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Jeffrey J. Howell
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Attorney for Applicants

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Dated: October 8, 2002